

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

**RE**

**EVELYN PEREZ CORTES**

**DEBTOR**

**CASE NO. 10-12368 ESL**

**CHAPTER 13**

**MOTION TO INFORM AMENDED PLAN**

**TO THE HONORABLE COURT:**

**NOW COMES** the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. That the reason for amendment is to provide for IRS secured debt.

**WHEREFORE, it is** respectfully requested to this Honorable Court to take notice of the aforementioned.

**RESPECTFULLY SUBMITTED.**

**I HEREBY CERTIFY** that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mail to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

**In San Juan, Puerto Rico this 16th day of February of 2011.**

JPC LAW OFFICE

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San Juan, P.R. 00936-3565  
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jpc@jpclawpr.com

By: /s/ Jose M Prieto Carballo, Esq.

**United States Bankruptcy Court  
District of Puerto Rico**

IN RE:

Case No. \_\_\_\_\_

**PEREZ CORTES, EVELYN**

Debtor(s)

Chapter **13**

**CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: \_\_\_\_\_

☒ AMENDED PLAN DATED: **2/16/2011**

☐ PRE ☐ POST-CONFIRMATION

Filed by: ☒ Debtor ☐ Trustee ☐ Other

**I. PAYMENT PLAN SCHEDULE**

\$ **1,000.00** x **60** = \$ **60,000.00**  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

TOTAL: \$ **60,000.00**

Additional Payments:

\$ **30,000.00** to be paid as a LUMP SUM  
within **48 months** with proceeds to come from:

☒ Sale of Property identified as follows:  
**FROM SALE OR REFINANCE OF ANY OF THE  
COMERCIAL PROPERTIES**

☐ Other:

Periodic Payments to be made other than, and in  
addition to the above:

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

PROPOSED BASE: \$ **90,000.00**

**III. ATTORNEY'S FEES**  
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
Disclosure Statement: \$ **1,844.00**

Signed: **/s/ EVELYN PEREZ CORTES**  
Debtor

Joint Debtor

**II. DISBURSEMENT SCHEDULE**

A. ADEQUATE PROTECTION PAYMENTS OR \$ \_\_\_\_\_

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. <b>BPPR</b>	Cr. <b>BPPR</b>	Cr. _____
# _____	# <b>71010017927578</b>	# _____
\$ <b>7,000.00</b>	\$ <b>7,000.00</b>	\$ _____

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. <b>IRS</b>	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ <b>3,000.00</b>	\$ _____	\$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

<b>BPPR</b>	<b>BPPR</b>
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C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: \_\_\_\_\_  
☐ Paid 100% / ☐ Other: \_\_\_\_\_

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)  
FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL  
MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5).

ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330.

TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC  
PAYMENTS TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY  
PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY PART OF THESE FUNDS, PROPER AUTHORIZATION  
WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE.

DEBTOR TO PAY CREDITORS 100% PLUS 8%

Attorney for Debtor **Jose Prieto**

Phone: **(787) 607-2066**

**CHAPTER 13 PAYMENT PLAN**  
**Continuation Sheet - Page 1 of 1**

	Cr	#	\$
<b>Executory Contracts - Assumed:</b>	<b>BPPR</b>		

Label Matrix for local noticing  
0104-3  
Case 10-12368-ESL13  
District of Puerto Rico  
Old San Juan  
Wed Feb 16 11:16:18 AST 2011

RECOVERY MANAGEMENT SYSTEMS CORP  
RAMESH SINGH  
25 SE 2ND AVE STE 1120  
MIAMI, FL 33131-1605

ADVANTAGE ASSETS II INC  
7322 SOUTHWEST FRWY SUITE 1600  
HOUSTON TX 77074-2053

BPPR  
P O BOX 3228  
SAN JUAN, PR 00936

CRIM  
P O BOX 41179  
SAN JUAN, PR 00940-1179

Gemb/jc Penney Pr  
Credit Card Bank Of Ga  
Albuquerque, NM 87125

Ltd Financial Svcs Lp  
7322 Southwest Fwy Ste 1  
Houston, TX 77074-2010

POPULAR AUTO (POPULAR LEASING)  
BANKRUPTCY DEPARTMENT  
PO BOX 366818  
SAN JUAN PUERTO RICO 00936-6818

Sears/cbsd  
701 East 60th St N  
Sioux Falls, SD 57104-0432

JOSE M PRIETO CARBALLO  
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PO BOX 363565  
SAN JUAN, PR 00936-3565

BANCO POPULAR PR  
PO BOX 362708  
SAN JUAN, PR 00936-2708

RELIABLE FINANCIAL SERVICES  
PO BOX 21382  
SAN JUAN, PR 00928-1382

AXESA  
PO BOX 191225  
SAN JUAN, PR 00919-1225

BPPR  
P O BOX 366818  
SAN JUAN, PR 00936-6818

Citifinancial  
300 Saint Paul Pl  
Baltimore, MD 21202-2120

Gemb/sams Club  
Po Box 981400  
El Paso, TX 79998-1400

Lvnv Funding Llc  
Po Box 740281  
Houston, TX 77274-0281

ROOMS TO GO  
P O BOX 3157  
BAYAMON, PR 00960-3157

WESTERNBANK  
P O BOX 430  
MAYAGUEZ, PR 00681-0430

JOSE RAMON CARRION MORALES  
PO BOX 9023884  
SAN JUAN, PR 00902-3884

POPULAR AUTO  
EDGAR A VEGA RIVERA ESQ  
PO BOX 366818  
SAN JUAN, PR 00936-6818

US Bankruptcy Court District of P.R.  
U.S. Post Office and Courthouse Building  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

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CRIM  
LEGAL COUNSEL OFFICE  
PO BOX 195387  
SAN JUAN PR 00919-5387

DEPT HACIENDA  
P O BOX 9022501  
SAN JUAN, PR 00902-2501

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

MUNICIPIO DE RIO GRANDE  
FINANZAS  
P O BOX 847  
RIO GRANDE, PR 00745-0847

SAMS  
G E MONEY BANK  
P O BOX 530942  
ATLANTA, GA 30353-0942

EVELYN PEREZ CORTES  
66 FLOR DEL RIO  
RIVER GARDEN  
CANOVANAS, PR 00729-3341

MONSITA LECAROS ARRIBAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901-1938

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

IRS  
7 TABONUCO ST  
GUAYNABO, PR 00968

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)RELIABLE FINANCIAL SERVICES	End of Label Matrix	
PO BOX 21382	Mailable recipients	29
SAN JUAN PR 00928-1382	Bypassed recipients	1
	Total	30